

REMARKS

Claims 1-22, 24-30, 32-34 and 36-56 are pending.

I. The Restriction Requirement and Applicant's Provisional Election

The Examiner required restriction, under 35 U.S.C. § 121, and considers the application to contain separate and distinct inventions, directed to 16 groups of inventions.

Additionally, the Examiner believes that based on Applicant's election, additional election is required to one mutation position in claims 1, 15, and 26, one compound member of claims 37-42 and 52-53, as well as one disorder in claims 42-45 for examination. See Office Action, pp. 4-5, describing additional election of a "compound" and "disorder."

In response, Applicants hereby elect, **with traverse**, Group XIII, claims 36-45, drawn to a method of treating diseases with a modulator. In addition, Applicants elect, **with traverse**, an agonist, as the "compound" from claim 37, and major depression, as the "disorder" from claim 42.

Applicants note that upon allowance of any linking claims, the restriction requirement as to the linked inventions shall be withdrawn and any claims depending from or otherwise requiring all of the limitations of the allowable linking claims will be rejoined and fully examined for patentability in accordance with 37 CFR 1.104.

II. The Search Of Additional "Compounds" and "Diseases Is Not Unduly Burdensome

Applicants traverse the restriction requirement on the grounds that the search and examination additional "compounds" and "diseases" is not unduly burdensome. According to MPEP section 803 "if a search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent and distinct inventions." As the claims are currently drawn to methods of affecting P2X7R activity, a single search for "compounds" and "diseases" in this subject area is not unduly burdensome. In addition, similar methods are provided in other groups and could be similarly searched without an undue burden.

III. **Conclusion**

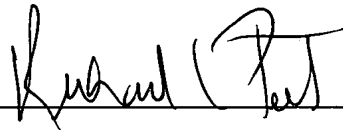
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 19-0741. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should be charged to our Deposit Account.

Respectfully submitted,

Date May 1, 2007

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By  _____

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